

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

<b>TARYN CHRISTIAN,</b>	)	
	)	
<b>Petitioner,</b>	)	<b>Case No.: CIV-04-00743 DAE-LEK</b>
	)	
<b>vs.</b>	)	
<b>CLAYTON FRANK, Director,</b>	)	
<b>State of Hawai'i Department</b>	)	
<b>of Public Safety,</b>	)	
	)	
<b>Respondent.</b>	)	

**DECLARATION OF COUNSEL**

I, Mark Barrett, do solemnly declare:

1. The statements made in the motion accompanying this declaration are true and correct to the best of my knowledge and belief.

2. This request to permit testimony out of time is made because of my client's adamant request and because of counsel's belief that honoring such requests is in the interests of justice.

I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: August 13, 2008.

/s/ Mark Barrett  
MARK BARRETT

